



0000-000
RECEIVED
JUN 12 2006
SOUTH DAKOTA PUBLIC
UTILITIES COMMISSION

EAGLE EXCAVATING, LLC
16736 451ST Ave.
Watertown, SD 57201
605-882-1691(Office)
605-237-2450 (Mark)

June 5, 2006

South Dakota One Call Notification Board
1012 N. Sycamore Avenue
Sioux Falls, SD 57110-5747

RE: Failure to provide advance notification to the South Dakota One Call

To Whom It May Concern,

I am writing in response to the complaint for failure to provide advance notification to South Dakota One Call.

The site (3013 N. Serenity Drive) was located on 3/30/06 the first time. At that time, we dug the basement, septic tank stub, water stubbed away from basement, etc. We dug with spades by hand, opened yellow tape and found the gas line to eye view. We also installed an approach with a concrete culvert and flares. The rural water flag for the line was directly centered below the culvert. I have always located (found) lines on jobs in case I have a question, or it interferes with what the owner wants to do. The day we were digging at this location, it had been raining for 2 weeks. The operator (Joey) was trying to find something to do because we had been rained out of our other sites. He thought he was doing me a favor by finding something else to work on. Joey was also with me when we had found all the lines previously. He did not realize the permit had run past the 2 weeks. We had not worked at this site, nor had anyone else for 2 to 3 weeks because of bad weather and the owner's schedules with the concrete contractor. As I said before, Joey was helping, he thought. He had helped locate lines before and rural water personal had been on the phone at different times to schedule a tap in their lines. We were not in a hurry due to the fact there was no need for usage, and we were trying to catch Jim for Rural Water at a convenient time when he was in the area. As I expressed before, we didn't realize the permit had expired and called for relocate right away. We did still have the locations from the previous time. I would also like to state that our track hoe was digging on a yellow flag when the pictures were taken. The yellow tape was not broken, as we dig by hand and had located it earlier. Our operator had also been off the hoe several times cleaning the dirt off the exposed tape, so he could keep it in eyes view.

As for the trouble with my company in the past, my company is Eagle Excavating, and my name is Mark Stromseth. My father also owns a construction company in Watertown. His company is 50 years old and runs under the name of Stromseth Construction. I worked with my father for 27 years, but went on my own 4 years ago. Maybe there is a little confusion in names and companies. I have never dug without locations.

In closing, we certainly did not intend on doing anything wrong. We always dig by hand, locate and measure where lines are before starting a job. We do this in case kids or something else has moved flags, or scuffed out paint.

If you have any further questions, please feel free to contact me.

Sincerely,

Mark Stromseth
Eagle Excavating, LLC

Cc: Steve Lehner